

DIAA Board of Directors' Meeting Minutes  
Thursday, March 14, 2019– 9:00 a.m.  
John W. Collette Education Resource Center

I. Opening

A. Call to Order

The meeting was called to order at 9:05 a.m. by Chairperson Dr. Bradley Layfield. Dr. Layfield introduced new Board member Mr. Chuck Little.

B. Roll Call

The following DIAA Board members were present: Stan Waterman, Dr. Matthew Donovan, Ted Laws, Bruce Harris, Gary Cimaglia, Dr. Bradley Layfield, Robert Cilento, Robert Watson, Mike Hart, Dr. Kevin Fitzgerald, Vetra Evans-Gunter, Douglas Thompson, Chuck Little, Dr. Bradley Bley, Jeremy Jeanne and Michael Rodriguez, Associate Secretary of Education. Thomas Neubauer, Executive Director, Laura Makransky, Deputy Attorney General, and DIAA staff Donna Polk and Tina Bates were also in attendance. Dr. Mervin Daugherty, Dr. Kathleen Andrus, Dr. Evelyn Edney and Mike Breeding were unable to attend.

C. Approval of Agenda

Mr. Jeanne made a motion to approve the agenda. The motion was seconded by Mr. Watson and carried by a vote of 14 – yes [Waterman, Donovan, Laws, Harris, Cimaglia, Layfield, Cilento, Watson, Hart, Evans-Gunter, Thompson, Little, Bley, and Jeanne] and 0 no.

D. Approval of Minutes of DIAA February 14, 2019 Board of Directors Meeting

Dr. Donovan made a motion to approve the minutes of the February 14, 2019 Board meeting. The motion was seconded by Dr. Bley and carried by a vote of 12 – yes [Waterman, Donovan, Laws, Harris, Cimaglia, Layfield, Cilento, Watson, Hart, Evans-Gunter, Bley, and Jeanne], 0 – no and 2 – abstentions (Thompson and Little).

E. Approval of Executive Session Minutes of the DIAA February 14, 2019 Board of Directors Meeting

Mr. Cilento made a motion to approve the executive session minutes of the February 14, 2019 Board meeting. The motion was seconded by Mr. Hart and carried by a vote of 12 – yes [Waterman, Donovan, Laws, Harris, Cimaglia, Layfield, Cilento, Watson, Hart, Evans-Gunter, Bley, and Jeanne], 0 – no and 2 – abstentions (Thompson and Little).

E. DIAA Financial Report

Mr. Neubauer reported that the budget is in the negative which is typical for

this year as expenses are coming in quicker than income. Mr. Neubauer reported that the boys basketball semifinal and final rounds were sell outs and explained that it was profitable to hold quarterfinal rounds at member schools instead of the University of Delaware.

Mr. Hart made a motion to accept the financial report. The motion was seconded by Ms. Evans-Gunter and carried by a vote of 14 – yes [Waterman, Donovan, Laws, Harris, Cimaglia, Layfield, Cilento, Watson, Hart, Evans-Gunter, Thompson, Little, Bley, and Jeanne] and 0 no.

## II. Action Items

### A. Approval of Tournament Sanctions

Mr. Neubauer reported that there were 8 sanctioned events before the Board for approval –Indoor Track: Eastern States Championships (2/19/19), Track & Field: AI Relays (3/22/19), Seahawk Invitational (3/23/19), AI Invitational (3/29/19), DCIAA Invitational (3/30/19), Trojan Invitational (4/6/19), Tiger Open (4/22/19), and Tiger Track Classic (5/3/19). Mr. Neubauer stated that to the best of his knowledge the 8 events are in compliance with DIAA and NFHS regulations.

Mr. Jeanne made a motion to approve the 8 sanctioned events as recommended by the Executive Director. The motion was seconded by Mr. Hart and carried by a vote of 14 – yes [Waterman, Donovan, Laws, Harris, Cimaglia, Layfield, Cilento, Watson, Hart, Evans-Gunter, Thompson, Little, Bley, and Jeanne] and 0 no.

### B. Ratification of Interim Waiver Request by Caesar Rodney to Waive 1009.2.4 – 2019-3-1

Mr. Cimaglia made a motion to ratify the Executive Director's decision to grant a waiver. The student, his family, and his school are not required to appear at the Board's April meeting. The motion was seconded by Dr. Bley and carried by a vote of 14 – yes [Waterman, Donovan, Laws, Harris, Cimaglia, Layfield, Cilento, Watson, Hart, Evans-Gunter, Thompson, Little, Bley, and Jeanne] and 0 no.

### C. Request by IAABO 11 to change regulation 1008/1009.1.5.1.1

Dr. Layfield reminded the Board that this item was before the Board previously and that the Board voted to send to the Rules and Regulations Committee. Dr. Layfield explained that the Board has not received anything back from the Rules and Regulations Committee as of yet. Dr. Layfield explained that in 1009.1.5.1.1 the definition of scrimmage includes Officials should not be compensated and the officials associations are asking that that portion of the regulation be taken out. Dr. Layfield explained that the Board can refer this back to the Rules and Regulations Committee for them to give a recommendation to the Board or the Board could entertain a motion after discussion to move directly into removing that. Mr. Neubauer commented that

Ms. Polk has been working with officials associations to try to get information on what would be fair for everyone if this was removed.

Mr. Neubauer reminded the Board that the Board's governing statute has changed and the Board now has the authority to establish fees for officiating contests and competitions and would need a decision as to whether this would include scrimmages. Dr. Layfield commented that the definition of competition is not explained in the regulations. Mr. Cimaglia asked that the Board provide their opinion on this so that the Rules and Regulations Committee would know what they are working on. Some Board members commented that the word competition needs to be defined.

Mr. Neubauer explained that over the last several years, schools have developed play days where multiple schools are brought to one site and run abbreviated scrimmages. Mr. Neubauer further explained that the officials association could ask the organizer of the play days for a donation to the officials association for training materials but it was not a direct compensation. Mr. Neubauer commented that officials will go to play days before they will go to scrimmages.

Mr. Neubauer informed the Board that Delaware is the only state in the surrounding area that is not paid for scrimmages.

Mr. Neubauer reviewed officials associations that are in favor of the change.

Mr. Neubauer explained the FAQ that allows for donations for play days.

Mr. Neubauer gave a brief background on Arbiter which is an aid to the officials associations. Mr. Neubauer explained that the schools enter their schedules into Websites and they would be transferred over to Arbiter and the officials could then make their assignments. Mr. Neubauer commented that that part of the Arbiter package is Arbiter pay but explained that Delaware does not allow Arbiter pay.

Dr. Layfield reviewed what the Board is referring to rules and regulations. The committee is to look at eliminating the words "shall not be compensated" and develop a scale.

Mr. Jeanne asked if the Board could look into limiting or regulating play days.

Mr. Neubauer asked to look at the scale when the scale is done for play dates and scrimmages.

Mr. Neubauer explained play dates are done mostly as fund raisers and need officials there. Discussion ensued regarding play days and scrimmages and

some thought that officials will chose to work play days over scrimmages. Mr. Neubauer commented that all neighboring states pay officials for scrimmages.

Mr. Laws made a motion to charge the Rules and Regulations Committee to define competition as it relates to the new language in the Board's governing statute and define and regulate what is a play day versus what is a scrimmage. Also to look at how scrimmages are to be compensated and a time frame. Also a request for some suggestions on how the pay scale should look. The same should go to the officials committee. The motion was seconded by Mr. Jeanne and carried by a vote of 15 – yes [Fitzgerald, Waterman, Donovan, Laws, Harris, Cimaglia, Layfield, Cilento, Watson, Hart, Evans-Gunter, Thompson, Little, Bley, and Jeanne] and 0 no.

The Board recessed at 10:10 a.m. and reconvened at 10:15 a.m.

#### D. Regulations 1008 & 1009 – Coaching out of Season

Dr. Layfield recapped what the Board discussed so far and stated that the Rules and Regulations Committee met on Tuesday, March 12 and reviewed the changes the Board discussed at the Board's last meeting.

Mr. Cimaglia commented that in 1.1 the definition of a program was added and he reviewed the changes.

5.3 Sanctioning of Out of Season Camps and Clinics – Mr. Cimaglia explained that the Committee discussed working clinics and the sanctioning of clinics and how the Board could know it is an open clinic and voluntary to the public. Mr. Cimaglia also commented that DIAA would be collecting data on the clinics to see who was actually at the clinics or camps and to make sure they are meeting the open gym concept.

6.0 Mr. Cimaglia commented that under 6.0 the Committee added back in 6.1.1. language that will allow schools to sponsor camps or clinics but that they have to apply for a waiver or sanction and to remove Open Gyms from the title.

6.4 Mr. Cimaglia explained that the Rules and Regulations Committee was asked to review open gyms and decided to remove this subsection altogether as it was covered in other places in the regulations.

7.6.1.1 Mr. Cimaglia explained that practice season was changed to fall sports period. Mr. Neubauer commented that this would be consistent with other language. Mr. Cimaglia explained that instead of using practice season Fall Sports period would be used as it references the period that is discussed.

7.6.1.2.6.1.1 Mr. Cimaglia explained football was separated out in terms of

what safety equipment can be used to be clearer.

7.6.1.2.6.2 Mr. Cimaglia explained that this change was made because you can't do drills without contact in wrestling.

Mr. Cimaglia commented that the committee took the recommendations from the Board and explained that the changes are reflected in 1009 and 1008.

Mr. Jeanne asked if the committee discussed the amount of time an athlete is allowed to practice and what is safe for the athlete. Mr. Cimaglia responded that this was discussed and feels this goes back to ethics and that a parent is going to do what they want with their child outside of school. Mr. Cimaglia commented that the thought is that this should be handled in the school by the athletic director or coach and if after school it is up to the parent or student.

Mr. Neubauer commented that DIAA will track injuries working with the schools to ascertain if there are higher numbers of injuries from multisport athletes.

Mr. Neubauer explained that the process for sanctioning the camps or clinics will be monitored. Mr. Neubauer explained that the sanction form will also monitor the schools that can and cannot afford to have the camps or clinics.

Ms. Polk questioned why are the coaches being restricted from working with their students if that same coach is also having a camp. Ms. Polk commented that the camps are completely different than the playing season or out of season. Some discussion ensued regarding camps being held during the summer when there are more hours available.

Some discussion ensued regarding the difference between camps and practice and if the six hours of practice per week includes camps and practice. Mr. Cimaglia commented that this may not be clear in the regulations. Mr. Neubauer commented that we are allowing the access out of season but still limiting the amount of hours to protect the student athlete. Mr. Cimaglia commented that adding language to 7.6.1.2.2 may be needed to make this clearer and should be under camps. Dr. Layfield commented that after reviewing this rule, changes can be made to tighten the rule if needed. Dr. Layfield reminded the Board that all sanctions of camps will come before this Board for approval.

Mr. Neubauer wanted to address the wording in 7.6.2.4 and to put back the wording that was taken out.

Dr. Layfield commented that as the regulations are written this would restrict camps and clinics more so than it already is.

Mr. Neubauer reported that he polled the NFHS to see if there was any litigation regarding out of season injuries and there were two which both were not related to over use but something that could have happened during regular preseason.

Dr. Bley commented that he liked the idea of monitoring injuries but feels it may be more complicated as HIPPA may create a problem and also we do not know what the injury rates are now so what are we measuring them to. Mr. Neubauer commented we would just need to know of the incidents in a gross data and not necessarily case by case. Mr. Neubauer commented that he has this on the agenda for the May Sports Medicine Committee to look at.

Dr. Layfield commented on 6.1.1 and that some language needs to be stricken due to conflicts with other language.

Mr. Neubauer commented on 7.6.1.2.2 and thought that it is not necessary to have Football Week in the language.

In a response to a question, Mr. Neubauer commented that if coaches wanted to coach their own students at a camp or clinic the camp would have to be sanctioned.

7.6.1.2.4 Mr. Neubauer commented that language should be inserted to be consistent and would like to address it. Mr. Neubauer suggested reinserting the line that was taken out.

Dr. Layfield summarized by saying that in 6.0 strike Open Gyms in the title and in 6.1.1. we want to strike which limits membership to their own district or locale or teams. In 7.6.1.2.2 at the end of 6 hours per week and no more than 2 hours per day add with the exception of school sponsored camps and clinics and strike language after Sunday. 7.6.1.2.4 we want to unstrike “and conducted by a non school affiliated organization”.

Mr. Watson made a motion to accept the changes to regulations as amended for publication. The motion was seconded by Mr. Laws and carried by a vote of 14 – yes (Waterman, Donovan, Laws, Harris, Cimaglia, Layfield, Cilento, Watson, Hart, Fitzgerald, Evans-Gunter, Thompson, Little, Bley) and 1 – no (Jeanne).

#### E. Rules and Regulations Committee Report

Mr. Cimaglia commented that he just reported on his report in the discussion of Coaching Out of Season.

#### F. Committee Action

Mr. Neubauer reported that Mr. Schultz resigned as Chair of the Officials Committee. Mr. Neubauer commented that he is in the process of compiling a list of all openings on Committees and a list of all reappointments.

### III. Discussion Items

#### A. Dual Association Memberships

Mr. Thompson asked about Delmarva Christian who played in a non-Delaware based conference.

Mr. Thompson expressed his concerns with schools playing in an outside conference

Mr. Neubauer responded that our regulations state you can form a conference, and that a school is not restricted to joining a Conference that is based in Delaware. Mr. Neubauer explained that the conference they were in, in Maryland, uses a shot clock, but when the schools are in Delaware they are prohibited to use a shot clock. Mr. Neubauer explained that when you go out of state you follow that states rules. Mr. Neubauer explained that our regulation also does allow a two game playoff.

Mr. Cilento questioned why they could not have an end of year basketball event.

Mr. Neubauer commented that he will put this on next months rules and regulations committee agenda.

Mr. Neubauer commented that his concern is with the conference regulation issue. Dr. Layfield commented that this will be placed on the Rules and Regulations Committee agenda for next month.

#### B. 100- Year Celebration Update

Mr. Thompson asked that we still recognize 100-Year Celebration. Mr. Neubauer commented that we have a good working model for the Hall of Fame. Mr. Neubauer suggested that each school nominate five people for the Hall of Fame. Dr. Fitzgerald suggested recognizing schools that don't exist anymore. Mr. Jeanne asked what the next step is to recognize students. Mr. Neubauer commented that a target date to recognize athletes would be in June and that the recognition for athletes would be primary and the Hall of Fame secondary. Mr. Neubauer reminded the Board that the subcommittee for the Hall of Fame is Dr. Fitzgerald, Dr. Edney, and Mr. Thompson. Dr. Fitzgerald commented that the subcommittee had been disbanded due to completing their

task of establishing the Hall of Fame criteria. The Board asked to create a Hall of Fame committee at next month's meeting.

C. Regulation 1007: Constables

Dr. Layfield commented that the Board would like to add the word constable to 1007.1.2.1.1. Mr. Laws commented that schools are turning to constables and wondered if we should add constables to regulation 1007.1.2.1.1 for another alternative for schools. Mr. Neubauer commented that schools that have constables do use them. Dr. Layfield suggested putting this on the Board agenda for next month to take a vote to add Constables to 1007.1.2.1.1.

IV. Executive Director Report

Mr. Neubauer commented that John Wilson, the president of the DIFCA, is asking if they need a waiver for the two weeks of the Heads Up Football camp or is it automatically covered since it is now in the regulations. Mr. Neubauer asked if the Board will have to formally approve the request to hold the Heads Up Football Camp. After discussion from the Board it was suggested that Mr. Wilson come before the Board to formally request to hold the Heads Up Football Camp.

Mr. Neubauer reported that the winter season went well with only one incident in wrestling and one incident in unified sports. Mr. Neubauer reviewed the winter champions and commented that even though attendance was good the revenue was down. Mr. Neubauer commented that when he asks for the new budget he will be asking for an increase in ticket prices for at least all events held at venues that are not high schools. Mr. Neubauer updated the Board on the regulations by saying that the officiating fee schedule passed and is effective on the 11<sup>th</sup> and the other regulations will be out for publication on April 1.

V. Other Items for Discussion

Mr. Cilento asked about the teams going under 12 games and asked if this has been updated. Mr. Neubauer commented that all committees are addressing this to find a solution for next school year.

Mr. Jeanne questioned if the DIAA sees a higher revenue by hosting quarterfinal round games at the high schools and not the Bob Carpenter Center. Mr. Neubauer responded that the girls basketball definitely has a better revenue by hosting game at the high schools. Mr. Neubauer commented that the difficult part is finding gyms large enough to host the quarterfinal rounds.

Mr. Thompson asked where we are with the realignment. Mr. Neubauer



responded by saying that there has been some interest in football with realignment and also another fall female sport. Mr. Neubauer reminded the Board of all the work Ms. Taylor did with the realignment and that it was not received well. Mr. Thompson commented that he would like to see something done with the realignment.

Mr. Cimaglia commented on looking for more support for the DIAA office and asked if the Board has power to hire other employees. Ms. Makransky recommended that if the board felt it helpful to hire someone for the DIAA office the Board could make that recommendation to the Department of Education. Mr. Cimaglia asked that this discussion be added to our monthly meeting each month.

Mr. Hart reported that out of the 56 athletic director's in the state, 49 are eligible to be certified with a total of 32 athletic director's in the state that are certified which is one of the highest in the country. Mr. Hart thanked the Board for their support.

#### VI. Public Comment

Trina Leclerc addressed the Board on the topic of out-of-season coaching and commented on 7.6.1.2. Ms. Leclerc commented on why students cannot participate in the sport that they want to play and commented on open gym.

Ms. Leclerc asked that the Public Integrity Committee not confuse private setting with professional services.

Ms. Leclerc also commented on the letter she submitted to the board and commented that she is disappointed in lack of open dialogue.

#### X. Adjournment

Mr. Laws made a motion to adjourn at 12:28 p.m. The motion was seconded by Mr. Cimaglia and carried unanimously by a vote of 15- yes [Waterman, Donovan, Laws, Harris, Cimaglia, Layfield, Cilento, Watson, Hart, Fitzgerald, Evans-Gunter, Thompson, Little, Bley, and Jeanne] and 0 no.

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Tina Bates